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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/002,711	11/01/2001	Raymond Heidel	41286.00019	2780

7590 04/22/2003

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[REDACTED] EXAMINER

NGUYEN, TUAN N

[REDACTED] ART UNIT [REDACTED] PAPER NUMBER

3653

DATE MAILED: 04/22/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.	10/002,711	Applicant(s)	Heidel et al.
Examiner	Tuan Nguyen	Art Unit	3653
			

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE three (3) MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

1)  Responsive to communication(s) filed on 11/1/01

2a)  This action is FINAL. 2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

### Disposition of Claims

4)  Claim(s) 1 - 11 is/are pending in the application.

4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1 - 11 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on 11/1/01 is/are objected to by the Examiner.

11)  The proposed drawing correction filed on \_\_\_\_\_ is: a)  approved b)  disapproved.

12)  The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. § 119

13)  Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a)  All b)  Some\* c)  None of:

1.  Certified copies of the priority documents have been received.

2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

14)  Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

### Attachment(s)

15)  Notice of References Cited (PTO-892)

18)  Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_

16)  Notice of Draftsperson's Patent Drawing Review (PTO-948)

19)  Notice of Informal Patent Application (PTO-152)

17)  Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_

20)  Other: \_\_\_\_\_

Art Unit: 3653

### **DETAILED ACTION**

1. The drawings are objected to under 37 CFR 1.83(a) because they fail to show "an opening 24" in Fig. 2 as described in the specification on page 4, line 2 from the bottom. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

2. The disclosure is objected to because of the following informalities: On page 5, line 3, "26" should read --36--.

Appropriate correction is required.

3. Claims 1-8, 10 and 11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, line 2; claim 10, line 2; and claim 11, line 3; the phrase "capable of" is vague and indefinite since it only points out what the invention is "capable" of accomplishing, rather than what it actually does.

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Art Unit: 3653

5. Claims 1-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Gorgone et al..

Gorgone et al. disclose an apparatus and a method of separating and stacking currency and/or non-currency notes received by a bill acceptor. The apparatus and method comprise a validator assembly having a note discriminator (column 2, lines 55-63); a dual section cash box 18 having a first 44 and second 46 hopper for accepting currency and/or non-currency notes, respectively; and a transport assembly 16 having a deflector to direct notes to their respective hoppers. Gorgone et al. further show placer assembly 20, 22, 24 and 26.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kawabata, Robinson et al., Thie et al. and Gorgone et al.'656 are cited to show other pertinent art.

7. Any inquiry concerning this communication should be directed to Examiner Tuan Nguyen at telephone number 703-308-3664.

*Tuan M Nguyen*  
Tuan M. Nguyen  
4/21/03

tnn,

April 21, 2003.